



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

February 23, 2020

FILED BY ECF

The Honorable Alison J. Nathan
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square, Courtroom 1306
New York, New York 10007

Re: *United States v. Ali Sadr Hashemi Nejad*, 18 Cr. 224 (AJN)

Dear Judge Nathan:

The Government writes in response to the defendant's February 22, 2020 letter regarding the Government's email exhibits. The defendant has identified several pages from the May 2018 production for which the PDF contained formatting issues that caused a portion of a page to be cut off, or that caused some portion of the page to be difficult to read.¹ He argues that the Government must be limited to showing the jury the versions of the pages with these formatting problems. The Government does not agree.

First, the Court was clear at the final pre-trial conference that one of the purposes of allowing the Government to obtain clean versions of the pages that were identified as responsive to the search warrants and seized by April 2017 was to obtain more legible exhibits for the jury. "THE COURT: But if cleaner more readable versions exist, why would we give the jury something they can't read when if we can determine it's the same document but legible?" (Feb. 10, 2020 Conf. Tr. at 19-20.) This is exactly what the Government has done with respect to the 16 exhibits about which the defendant complains.

¹ The defendant stated in his letter that, for 13 exhibits "the May 2018 production only included PDFs that cut off a portion of the entire document." To be clear: the Government is not seeking to introduce any page or any document that was not contained in the May 2018 production. The dispute between the parties relates to pages that were contained in the May 2018 production, but had formatting issues that cut off a portion of the page or rendered a portion of the page difficult to read or illegible.

² The entire document was too large to file on ECF. The pages in Exhibit B-1 are a representative sample of how the pages in the document appeared in the May 2018 production.